

### **REMARKS**

By this amendment, claims 3, 4, 47, and 48 have been amended, no claims have been cancelled, and no claims have been added. Accordingly, claims 2-48 are currently pending in the application, of which claims 4, 14, 27, 37, 47, and 48 are independent claims. Applicants appreciate the indication that claims 3, 4, 8, and 13 contain allowable subject matter.

Applicants respectfully submit that the above amendments do not add new matter to the application and are fully supported by the specification. Support for the amendments to claims 47 and 48, in which the phrase "more than zero" was added, may be found at least in FIG. 6(B) and paragraph 82 of the specification. FIG. 6B shows a thin film transistor of a driving circuit portion that includes two grain boundaries of polycrystalline silicon which are formed in active channel regions of the driving thin film transistor and meet a current direction line. Therefore, the average number of polycrystalline silicon which are formed in active channel regions of the driving thin film transistor and meet a current direction line grain boundaries must be more than zero in this exemplary embodiment, because, if even one active channel region of the driving thin film transistor has more than zero grain boundaries of polycrystalline silicon which are formed in active channel regions of the driving thin film transistor and meet a current direction line, the average must be more than zero.

Entry of the Amendments and Remarks is respectfully requested because entry of Amendment places the present application in condition for allowance, or in the alternative, better form for appeal. No new matters are believed to be added by these Amendments. In view of the above amendments and the following Remarks, Applicants respectfully request reconsideration and timely withdrawal of the pending objections and rejections for the reasons discussed below.

***Claim Objections***

In the Office Action, claim 3 was objected to.

Claim 3 has been amended to be more consistent with amended claim 4 as suggested by the Examiner. This amendment is made for the sole purpose of clarification. This amendment is not made for the purpose of avoiding prior art or narrowing the claimed invention, and no change in claim scope is intended. Therefore Applicants do not intend to relinquish any subject matter by these amendments. Applicants respectfully submit that claim 3, as amended, overcomes the stated objection. Accordingly, Applicants respectfully request withdrawal of the objection for claim 3.

In the Office Action, claims 4, 47, and 48 were objected to.

Claims 4, 47, and 48 have been amended to read "an active channel region" as suggested by the Examiner. This amendment is made for the sole purpose of clarification. This amendment is not made for the purpose of avoiding prior art or narrowing the claimed invention, and no change in claim scope is intended. Therefore Applicants do not intend to relinquish any subject matter by these amendments. Applicants respectfully submit that claims 4, 47, and 48 as amended, overcome the stated objection. Accordingly, Applicants respectfully request withdrawal of the objection for claims 4, 47, and 48.

***Rejections Under 35 U.S.C. § 112, first paragraph***

Claims 47 and 48 stand rejected under 35 U.S.C. § 112, first paragraph as containing new matter. Applicants respectfully traverse this rejection for at least the following reasons.

The phrase "natural number", which was characterized as new matter by the Examiner has been deleted from the claims.

Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. § 112, first paragraph rejection of claims 47 and 48.

***Rejections Under 35 U.S.C. § 112, second paragraph***

Claim 47 stands rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Applicants respectfully traverse this rejection for at least the following reasons.

Claim 47 has been amended to change “the organic electroluminescent device” into “an organic electroluminescent device”.

This amendment is made for the sole purpose of clarifying claim 47. This amendment is not made for the purpose of avoiding prior art or narrowing the claimed invention, and no change in claim scope is intended. Therefore, Applicants do not intend to relinquish any subject matter by these amendments. Applicants respectfully submit that claim 47, as amended, fully complies with the requirements of 35 U.S.C. § 112, second paragraph.

Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. § 112, second paragraph rejection of claims 47.

***Rejections Under 35 U.S.C. § 102***

Claims 48 stands rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by U. S. Patent No. 5,705,829 issued to Miyanaga, *et al.* (“Miyanaga”). Applicants respectfully traverse this rejection for at least the following reasons.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

In the present instance, Miyanaga does not expressly or inherently describe each and every element as set forth in claim 48. Miyanaga does not describe at least that the average

number of grain boundaries of polycrystalline silicon which are formed in active channel regions of the driving thin film transistor and meet a current direction line is more than zero as required by claim 48.

To the contrary, the Examiner has made it clear that the Examiner interprets Miyanaga as teaching that the number of grain boundaries that meet the current direction in the driving TFTs is zero. Therefore, Miyanaga does not teach each and every element as set forth in claim 48.

Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. § 102(b) rejection of claims 48. Since none of the other prior art of record discloses or suggests all the features of the claimed invention, Applicants respectfully submit that independent claim 48, and all the claims that depend therefrom are allowable.

### ***Rejections Under 35 U.S.C. § 103***

Claims 47 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over U. S. Pre-grant Publication No. 2004/0079944 issued to Hiroshima, *et al.* ("Hiroshima") in view of U. S. Patent No. 5,705,829 issued to Miyanaga, *et al.* ("Miyanaga"). Applicants respectfully traverse this rejection for at least the following reasons.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

In the present case, the references when combined do not teach or suggest all of the claim limitations of claim 47. For example, Hiroshima in view of Miyanaaga, even if properly combinable, at least does not describe that the average number of grain boundaries of polycrystalline silicon which are formed in active channel regions of the driving thin film transistor and meet a current direction line is more than zero and as required by claim 47.

The Examiner has admitted that Hiroshima does not disclose specific limitations regarding the average number of grain boundaries in the channel regions of the switching and driving TFTs. Furthermore, the Examiner has made it clear that the Examiner interprets Miyanaaga as teaching that the number of grain boundaries that meet the current direction in the driving TFTs is zero. Therefore, the Examiner has not established a prima facie case of obviousness because Hiroshima in view of Miyanaaga does not teach or suggest all of the claim limitations of claim 47.

Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. § 103(a) rejection of claim 47. Since the none of the other prior art of record, whether taken alone or in any combination, discloses or suggests all the features of the claimed invention, Applicants respectfully submit that independent claim 47, and all the claims that depend therefrom are allowable.

***Allowable Subject Matter***

Applicants appreciate the indication that claims 3, 4, 8, and 13 contain allowable subject matter. Claims 3, and 4 have been amended to overcome the claim objections as described above.

Accordingly, Applicants submit that claims 3, 4, 8, and 13 are in condition for allowance.


**CONCLUSION**

Applicants believe that a full and complete response has been made to the pending Office Action and respectfully submits that all of the stated objections and grounds for rejection have been overcome or rendered moot. Accordingly, Applicants respectfully submit that all pending claims are allowable and that the application is in condition for allowance.

Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact the Applicants' undersigned representative at the number below to expedite prosecution.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,

  
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